IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 31131 of 2004(F)

PETITIONER:

SMT.TERESA RAPHAEL (PS/3183/EKM)
PAANAKKATTU VEEDU, P.O.MARADU, ERNAKULAM DISTRICT.

BY ADV. SRI.M.RAJAGOPALAN,
SRI.RAJIT.

RESPONDENTS:
----

1. **PRINCIPAL CONTROLLER OF DEFENCE ACCOUNTS (PENSION), DRAUPADI GHAT, ALLAHABAD.**
2. **DEFENCE PENSION DISBURSING OFFICER, ERNAKULAM, THEVARA, KOCHI-15.**
3. **FOC INC, SOUTHERN NAVAL HEAD QUARTERS, COCHIN NAVAL BASE, KOCHIN.**

BY ADV. SRI.T.P.SAJID, ADDL.CGSC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.31131/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE LETTER NO. PA/05/2420/PRE-86 DTD. 09/06/2004.

EXT.P.2: COPY OF THE LETTER NO.DPDO/EKM/P-3183/SBT, VYTTILA DTD. 07/07/2004.

EXT.P.3: COPY OF THE RELEVANT PORTION OF THE S.B. ACCOUNT OF SBT SHOWING THE REDUCTION OF PENSION.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.31131 of 2004

Dated 6th July, 2007.

J U D G M E N T

In the matter of reduction and recovery of family pension, there is already an interim order dated 26.10.2004. There is no counter affidavit yet. The main ground taken is that the order is passed without any notice. Therefore, the writ petition is disposed of in terms of the said interim order making it clear that the judgment will not stand in the way of the competent authority passing appropriate orders after affording an opportunity for hearing to the petitioner.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 6th July, 2007.